

**Black Creek IC Drain
Meeting Minutes
Gladwin County Board of Commissioners Room
June 22, 2022**

Meeting called to order by Brady Harrington at 10:34am.

Present: Brady Harrington, Chair, MDAR, Terry Walters, Gladwin County Drain Commissioner, Carl Parks Clare County Drain Commissioner

Also Present: Lucy Zeestraten, Gladwin County Deputy Drain Commissioner, Colleen Ritchie Clare County Deputy Drain Commissioner, Brittney Nicole form Fahey Schultz, Luke O'Brien Spice Group

Motion to elect Gladwin County as Secretary by Carl Parks, Second by Terry Walters. All in favor M/C.

Motion to approve agenda by Carl Parks. Seconded by Terry Walters. All in favor m/c

Brandy explains Terry is in the process of revising drainage district boundaries. Black Creek was established as a County Drain many years ago in exitance and the drainage district boundary is currently only in Gladwin County. In the process of reviewing that drainage district boundary Luke O'Brien from Spicer Group found that there were lands from Clare County that do contribute water to the drain. The drainage district boundary is essentially special assessment district. The drain law is user pays law. At any time, there is maintenance or improvement done to a drain, those people within the drainage district boundary pay for that maintenance or improvement. At this time there is no work proposed on the Black Creek Drain. Terry is simply cleaning up the drainage district's boundaries that were established probably a 100 years ago. Terry wants to make sure that the proper people are paying on the proper drains. We are today to hear any objection to adding Clare County to the drainage district. Here by converting this a county drain can only assess Gladwin County to intercounty drain which can be assessed in both Clare County and Gladwin County.

Brady turns it over to Luke O'Brien who has a power point presentation discussing the district boundaries. Luke explains the historical drainage district that was established in 1915. Luke goes on to explain the historical distract boundary that was established as the county drain. He shows the course of the drain and that it stops at the county line. Luke explains a drainage district is all lands that contribute water to the drain. The brake down for the recommended district is 207 acers in Clare County and 2012 acers on Gladwin County.

Brandy states that we are here to hear any objections to the addition of Clare County to the drainage district. We are not here to hear any objection to the apportionments that may be set for you individual properties. This is the first set in the process to get the district boundary changed to something that is accurate. Terry is doing a project to the southeast of this and part of the reason his doing these boundary revisions to make sure there no people paying for that project who shouldn't be paying on it. There is no work planned on the Black Creek at this time. Other than amending this boundary.

Brady is opening public comment and asked that they state their name for the Court Report.

Public Comment:

Rick Calhoun – If Clare decides they want to clean out their part does Gladwin County have to pay to. Brady states Clare has no physical drain, all physical drain is in Gladwin County. There will no drain added. This is simple that there are lands in Clare County that drain to the drain. So, the culvert that water runs under is not part of the drain? Brady says no. Luke explains that the drain stops at that culvert at the County line. Any ditches that extend to the west are not established as a county drain. Brandy states they will not be under the derestriction of this drainage board unless there's a petition to put them under the drainage board. Those are private ditches if there are any ditches on Clare County's side.

Mike Baylord – On reference to that several years ago there was a tax assessment to have Black Creek Drain spoils dug out of it. Does that mean those in Clare County would be apart of that assessment? No, that assessment is done but any future cleanouts of Black Creek if Clare County is added and those properties that contribute water to Black Creek would

pay.

Roger Crockett – I live in Midland County. About when was the Black Creek Drain cleared? Was that about 4 or 5 years ago? Terry stated about that. They did all except for that little piece on Clare County? Terry stated that was correct. Brady states that all the properties that would have been assessed at that time was inside that red line.

Public comment closed.

Motion to add Clare County to the Black Creek Drain drainage district by Carl Parks. Seconded by Terry Walters. All in favor m/c

Do you accept the preliminary drainage district boundaries for proposes of the Day of Reviews to argue the district lines motion by Carl Parks. Seconded Terry Walters. All in favor m/c

Apportionment recommendations from Luke are as follows. The acres there is 90 acres Gladwin and 10 acres Clare. This district is a skinny district, so he just did length of use factor. It came out 90 Gladwin and 10Clare. Either option would be good. Motion to accept the 90% Gladwin County and 10% Clare County by Carl Parks. Seconded by Terry Walters. All in favor m/c.

Terry Walters and Carl Parks sign the order adding Clare County to the drainage district and sets the apportionments between counties.

No invoices to be approved.

Brady states subsequently to today's meeting there will be a day of review in both countries at which you will have opportunities to challenge the drainage district boundary and also challenge the percent that you would pay before any maintenance or improvement that is done on this drain in the future. You will receive a notice in the mail just like you did for this meeting.

Next meeting date will be Day of Review. Gladwin DOR is August 4th. Drainage board meeting August 16th at 10am at the Gladwin County Commissioners Room.

Motion to adjourned by Terry Walters, seconded by Carl Parks. All in favor. M/C
Meeting adjourned at 10:52 am.



Respectfully submitted
Lucy Zeestraten, Secretary